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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Doron Elgressy

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EXAMINER

NGUYEN, MINH DIEU T

ART UNIT

PAPER NUMBER

2137

DATE MAILED: 11/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/622,959	Applicant(s) ELGRESSY ET AL.	
	Examiner Minh Dieu Nguyen	Art Unit 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-71 is/are pending in the application.
- 4a) Of the above claim(s) 1-26, 35-41, 50-56 and 65-71 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-34, 42-49 and 57-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to the communication dated August 24, 2006 with the amendment to claims 27, 42 and 57.
2. Claims 27-34, 42-49 and 57-64 are pending.

Response to Arguments

3. Applicant's arguments filed August 24, 2006 have been fully considered but they are not persuasive. The applicant argues that Touboul does not disclose providing, on a workstation, a pre-set list of applications permitted to run on the workstation and a list of one or more computer resources on the workstation to which are not accessible to unspecified applications; determining that the unspecified application is not identifiable in a pre-set list of hostile applications; in response to determining that the unspecified applications is not identifiable in the pre-set list of hostile applications, determining whether the requested computer resource is on the list of one or more computer resources that are not accessible to unspecified applications. The examiner respectfully disagree, Touboul discloses providing, on a workstation, a pre-set list of applications permitted to run on the workstation (i.e. non-hostile downloadables, col. 4, lines 29-33), and a list of one or more computer resources on the workstation to which are not accessible to unspecified applications (col. 5, line 59 to col. 6, line 4; Fig. 3, element 310); determining that the unspecified application is not identifiable in a pre-set list of hostile applications (col. 4, lines 29-33); in response to determining that the unspecified

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applications is not identifiable in the pre-set list of hostile applications, determining whether the requested computer resource is on the list of one or more computer resources that are not accessible to unspecified applications (Fig. 3, path 2). The applicant argues that the combination of the network-based security system of Touboul and the user-based system of Hayman is improper. The examiner respectfully disagrees, firstly, Touboul and Hayman relates to a system and method of protecting the information on the computer system from unauthorized access (see Touboul, col. 1, lines 24-27 and Hayman, col. 1, lines 1-17), secondly, Touboul discloses specific policy to be applied based on the client/group and on the particular downloadables received (e.g. user-based related, see Touboul, col. 1, line 67 to col. 2, line 6), and thirdly, Hayman discloses an entity that mediates all requests for access to an object, by a subject and control whether, and to what extent, the subject is granted access to the object (e.g. the subject could be owner of the object or the process which are also disclosed by Touboul, see col. 9, lines 55-59).

Claim Objections

4. Claim 1 is objected to because of the following informalities: "the pre-set list of hostile applications" should be "a pre-set list of hostile applications".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

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The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 27, 42 and 57 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The phrase "in response to determining that the unspecified application is not identifiable in the pre-set list of hostile applications" is not properly described in the application as filed.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 27, 42 and 57 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrases "a pre-set list of applications permitted to run on the workstation"; "allowing access ...if the requested computer resource is not on the list..." and "preventing access ... if the requested computer resource is on the list..." are not clear on what the metes and bounds of the claims are, the claims appear to cover anything and everything that does not prohibit actions from occurring. Moreover, claim 27 is different if not contradicting from claims 42 and 57, in which claim 27 recites "determining that the unspecified application is not identifiable in the pre-set list of hostile applications; in response to determining that the unspecified application is not identifiable in the pre-set list of hostile applications, determining..."

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whereas claims 42 and 57 recite “determining that the unspecified application is not identifiable in the pre-set list applications; in response to determining that the unspecified application is not identifiable in the pre-set list of applications, determining...”

Specification

9. The amendment filed August 24, 2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: “in response to determining that the unspecified application is not identifiable in the pre-set list of hostile applications”.

Applicant is required to cancel the new matter in the reply to this Office Action.

10. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the specifications are not clear on how the limitation “in response to determining that the unspecified application is not identifiable in the pre-set list of hostile applications” is supported.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 27-32, 34, 42-47, 49, 57-62 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul (6,092,194) in view of Hayman et al. (5,859,966).

a) As to claims 27, 42 and 57, Touboul discloses a system and method for protecting a computer (i.e. computer resources) and a network from hostile downloadables comprising providing, on a workstation, a pre-set list of applications permitted to run on the workstation (i.e. non-hostile downloadables, col. 4, lines 29-33) and a list of one or more computer resources on the workstation to which are not accessible to unspecified applications (col. 5, line 59 to col. 6, line 4; Fig. 3, element 310); providing a filter on a workstation for receiving internal requests for computer resources resident on the workstation (addressed by Hayman); receiving at the filter a request for access generated by an unspecified application (i.e. downloadables, col. 1, lines 44-55) downloaded to the workstation from a source external to the workstation (downloadables are executable application programs running on the destination computer utilize destination computer resources/operations, col. 4, lines 33-35), the request for access identifying a computer resource resident on the workstation (col. 4, lines 41-45) to which the unspecified application seeks access (col. 9, lines 24-29), determining that the unspecified application is not identifiable in a pre-set list of hostile applications (col. 4, lines 29-33); in response to determining that the unspecified applications is not identifiable in the pre-set list of hostile applications, determining whether the requested computer resource is on the list of one or more computer

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resources that are not accessible to unspecified applications (Fig. 3, path 2); allowing access to the requested computer resource if the requested computer resource is not on the list of one or more computer resources (Fig. 6C, element 666); and preventing access to the requested computer resource if the requested computer resource is on the list of one or more computer resources (Fig. 6C, element 670).

Touboul does not expressly disclose providing a filter on a workstation for receiving internal requests for computer resources resident on the workstation.

Hayman discloses protecting the information on the computer system from unauthorized access, wherein these accesses come from outside and often from within (col. 1, lines 13-20). This anticipates secure mechanism in identifying internal requests (col. 1, lines 5-10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of providing a filter on a workstation for receiving internal requests for computer resources resident on the workstation in the system of Touboul as Hayman discloses to broadly protect computer information from unauthorized (external and internal) accesses.

b) As to claims 28, 43 and 58, Touboul as modified above discloses the list of one or more computer resources comprises a look-up table (col. 5, lines 59-67 to col. 6, lines 1-4; Fig. 3, element 310; col. 5, lines 45-48).

c) As to claims 29, 44 and 59, Touboul as modified above discloses the requested computer resource is selected from the group consisting of a memory allocation, a file and a directory (col. 5, line 59 to col. 6, line 4).

d) As to claims 30, 45 and 68, Touboul as modified above discloses the requested computer resource is selected from the group consisting of a copy command, a delete command and a compress command (i.e. file operations, col. 5, line 59).

e) As to claims 31, 46 and 61, Touboul discloses the requested computer resource comprises an operation that when performed leads to a permanent change in the workstation (col. 5, line 59 to col. 6, line 4).

f) As to claims 32, 47 and 62, please see addressed claim 27.

g) As to claims 34, 49 and 64, Touboul as modified above discloses the list of one or more computer resources comprises a list of one or more computer resources that the unspecified application may use during operations performed by the unspecified application (col. 5, line 35 to col. 6, line 4).

13. Claims 33, 48 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul (6,092,194) in view of Hayman et al. (5,859,966) and further in view of Hind et al. (5,987,523).

Touboul and Hayman do not expressly disclose receiving the request comprises receiving an indirect request generated by the unspecified application.

Hind discloses receiving an indirect request generated by the unspecified application (col. 5, lines 20-41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of receiving the request comprises receiving an indirect

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request generated by the unspecified application in the system of Touboul and Hayman as Hind discloses so as to provide flexibility of communication in the computer system.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 571-272-3873.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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11/2/06


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